

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

4 NATIVE VILLAGE OF KIVALINA, et al., No. C 08-01138 SBA

ORDER

Plaintiffs,

V.

7 EXXONMOBILE CORPORATION, *et al.*,

Defendants.

11 On June 4, 2008, based on the number of defendants and the complexity of the issues
12 involved in this matter, the Court approved a protracted stipulated briefing schedule proposed by the
13 parties. *See* Docket No. 126. Pursuant to this schedule, defendants filed the following seven
14 motions on June 30, 2008: Motion to Dismiss Pursuant to 12(b)(6) [Docket No. 134], Motion to
15 Dismiss for Lack of Jurisdiction Pursuant to Federal Rule of Civil Procedure 12(b)(1) [Docket
16 No. 35], Motion to Dismiss for Lack of Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(1) and for
17 Failure to State a Claim Upon Which Relief May Be Granted Pursuant to Fed. R. Civ. P. 12(b)(6)
18 [Docket No. 137], Motion to Dismiss for Lack of Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2)
19 [Docket No. 138], Motion to Dismiss Utility Defendants per Rules 12(b)(1) and 12(b)(6) [Docket
20 No. 139], Motion to Dismiss Civil Conspiracy Claim Per Rules 12(b)(1) and 12(b)(6) by Certain
21 Utility Defendants [Docket No. 140], and Motion to Dismiss the Complaint for Lack of Personal
22 Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2) [Docket No. 141]. Pursuant to the protracted
23 schedule, defendants filed replies on November 18, 2008. As a result, when the replies were filed, it
24 appeared on the docket that the motions had been pending disposition without action by the Court
25 for almost five months when, in actuality the motions had not been fully submitted for the Court's
26 consideration. To correct this appearance, and in light of the number of motions and the scope and
27 complexity of the issues involved in this matter, defendants are ORDERED to re-notice all seven
motions for hearing, on May 19, 2009, at 1:00 p.m., in Courtroom 3 of the United States Courthouse.

1 1301 Clay Street, 3rd Floor, Oakland, California 94612. Defendants, however, need not re-file any
2 pleadings.

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4 IT IS SO ORDERED.

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6 February 17, 2009

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Saundra Brown Armstrong

United States District Judge